

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEARBORN AVENUE BISTRO
INC. et al.,

Plaintiffs,

Case No. 07-14423

vs.

HON. GEORGE CARAM STEEH

CITY OF DEARBORN,

Defendant.

_____ /

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

This matter has come before the court at the time and date originally scheduled for a final pretrial conference. Plaintiffs' counsel did not appear for the final pretrial conference, and a proposed final pretrial order was not submitted by either party. The court's staff contacted plaintiffs' counsel's office, and was unable to reach counsel for an explanation. The court went on the record, and heard defendant's oral motion to dismiss and for sanctions. Now, therefore, for the reasons stated on the record,

IT IS HEREBY ORDERED that plaintiff's case is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil Procedure 16(f), for failure to appear at the pretrial conference as ordered.

Defendant's motion for sanctions shall be considered only in the event plaintiffs seek to reinstate or refile this case.

Dated: December 1, 2008

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
December 1, 2008, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk